

UNITED STATES DISTRICT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Broc T. Waltermeyer

v.

Civil No. 19-cv-233-LM

Warden Robert Hazlewood et al.<sup>1</sup>

O R D E R

Plaintiff Broc T. Waltermeyer, a federal prisoner housed at the Federal Correctional Institution, Berlin, New Hampshire ("FCI-Berlin") has filed a complaint (Doc. No. 1), asserting that his Eighth Amendment rights have been violated by the defendants' failure to provide him with appropriate and necessary care for his serious medical needs. The matter is here for preliminary review to determine, among other things, whether the complaint asserts any claim upon which relief might be granted. See 28 U.S.C. §§ 1915(e)(2), 1915A(a); LR 4.3(d)(1). Also before the court is Waltermeyer's motion (Doc. No. 2) seeking a preliminary injunction directing the defendants to provide him with certain medical care and treatment.

The court finds that service of the complaint upon the defendants is warranted. The court thus directs that the complaint (Doc. No. 1) be served on the defendants, FCI-Berlin

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<sup>1</sup>Plaintiff has identified, as defendants to this action: Federal Correctional Institution, Berlin, New Hampshire ("FCI-Berlin" Warden Robert Hazlewood and FCI-Berlin Health Services Dr. Diane L. Kistler.

Warden Robert Hazlewood and FCI-Berlin Health Services Dr. Diane L. Kistler.

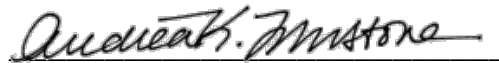
The Clerk's office is directed to complete and issue summonses for each defendant, and then to forward the summonses to the office of the United States Marshal for the District of New Hampshire ("U.S. Marshal"), along with copies of the Complaint (Doc. No. 1), plaintiff's motion for preliminary injunctive relief (Doc. No. 2), and this Order. Upon receipt of the necessary documentation, the U.S. Marshal shall serve the defendants, pursuant to Fed. R. Civ. P. 4(e). The clerk's office shall effect the service required by Fed. R. Civ. P. 4(i)(3), by sending a copy of each summons, the complaint (Doc. No. 1), the motion for preliminary injunctive relief, and this Order by certified mail to the United States Attorney General in Washington, D.C., and to the civil process clerk at the Office of the United States Attorney for the District of New Hampshire.

Defendants shall file their answer or other response to the complaint (Doc. No. 1) within sixty days of service, in accordance with Fed. R. Civ. P. 12(a)(3). Defendants are directed to file a response to Waltermeyer's motion for preliminary injunctive relief (Doc. No. 2) within fourteen days of service.

The parties are advised that, after the complaint is served, Waltermeyer may serve documents on defendants or their attorneys

who have appeared in this action in accordance with Fed. R. Civ. P. 5(b) or AP 2.8(b). Thus, to the extent any party, or attorney for a party, is registered to use the court's electronic filing system, Waltermeyer need not serve a hard copy of his filings on that party or attorney, as the court will cause a notice regarding that document's filing to be made upon that party. A certificate of service must be included with all filings, in accordance with Fed. R. Civ. P. 5(d)(1) and LR 5.1(d).

SO ORDERED.

A handwritten signature in black ink, reading "Andrea K. Johnstone", is written over a horizontal line.

Andrea K. Johnstone  
United States Magistrate Judge

May 14, 2019

cc: Broc T. Waltermeyer, pro se